

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	17-cr-64-DWF-KMM
)	
v.)	DECLARATION OF
)	EDWARD S. ADAMS
EDWARD S. ADAMS,)	
)	
Defendant.)	

Pursuant to 28 U.S.C. § 1746, I, Edward S. Adams, hereby declare:

1. On August 2, 2012, Kenneth Fink, an Apollo Diamond shareholder and investor, filed a lawsuit against me, Michael Monahan, and Scio, among others. The case was captioned *Fink v. Adams, et al.* My personal interests were at stake as a result of the filing of the *Fink* complaint, which alleged that I had engaged in wrongdoing (including fraud and securities violations).
2. Prior to the filing of the *Fink* complaint, Nelson Mullins LLP had represented Scio, primarily as it related to the SEC filing requirements of the company.
3. On August 9, 2012, I participated in a telephone call with Cory Manning of Nelson Mullins and others about the *Fink* litigation.
4. During this call, Mr. Manning confirmed that he was representing the interests of all of the defendants in the *Fink* litigation, including Mr. Monahan and myself, in connection with the settlement negotiations that he was conducting with counsel for the *Fink* plaintiffs.


5. As a result of that telephone call and subsequent communications with Mr. Manning (including an August 27, 2012 litigation strategy memo), I understood that Mr. Manning and Nelson Mullins represented me personally in connection with the settlement negotiations of the *Fink* lawsuit.

6. I regarded Mr. Manning and Nelson Mullins as my personal counsel in the *Fink* lawsuit between August 9, 2012 and August 28, 2012 (when Nelson Mullins was replaced by Latham & Watkins LLP as litigation counsel in the *Fink* litigation).

7. I have never authorized Nelson Mullins to disclose any confidential or privileged information it obtained during its representation of me in the *Fink* litigation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 16th day of August, 2018.

A handwritten signature in black ink, consisting of several overlapping, fluid strokes, positioned above a horizontal line.

Edward S. Adams